

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

DARLA MARIE SHEFFIELD,

Plaintiff,

VS.

STANLEY A TURPEN,

Defendant.

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CIVIL ACTION NO. C-08-154

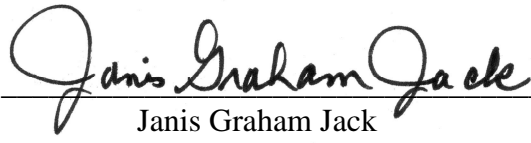
**ORDER ADOPTING IN PART MEMORANDUM AND RECOMMENDATION TO  
DISMISS ACTION**

On June 3, 2008, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that Plaintiff's claims against one of her court-appointed attorneys, Stanley A. Turpin, be dismissed for failure to state a claim and as frivolous pursuant to 28 U.S.C. §§ 1915(e)(2)(B), 1915A(b)(1). (D.E. 9.) On June 12, 2008, Plaintiff filed objections to the Magistrate's Memorandum and Recommendation. (D.E. 10.)

Having reviewed the findings of fact and conclusions of law therein, as well as the pleadings on file and Plaintiff's objections, and having made a *de novo* disposition of those portions of the Magistrate Judge's recommended disposition to which objections were raised, see Koetting v. Thompson, 995 F.2d 37 (5th Cir. 1993); 28 U.S.C. §636(b)(1)(C); Fed. R. Civ. P. 72(b), the Court hereby adopts, as its own, the findings and conclusions of the Magistrate Judge, *except* for the finding that Plaintiff's claims are frivolous. The Court adopts the Magistrate Judge's conclusion that Plaintiff has failed to state a claim and, thus, DISMISSES Plaintiff's complaint on that basis. The Court declines to rule with respect to whether or not Plaintiff's claims are frivolous.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 16th day of June, 2008.

  
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Janis Graham Jack  
United States District Judge